

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT TROHA and FREDERICK BIGNALL,)	
on behalf of themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	Electronically Filed 09/19/05
)	
v.)	Civil Action No. 05-191 E
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

**DEFENDANT’S UNOPPOSED MOTION TO ALLOW PARTICIPATION OF
COUNSEL BY TELEPHONE AT CASE MANAGEMENT CONFERENCE,
OR ALTERNATIVELY TO RESCHEDULE THE CONFERENCE**

The Court’s Preliminary Scheduling Order of August 29, 2005 (Doc. 7) sets the Case Management Conference in this case for Friday, October 14, 2005 at 8:30 a.m. Defendant respectfully requests that Court allow counsel for both parties to participate in the Case Management Conference by telephone. Defendant’s counsel of record is scheduled to teach at a Department of Justice course in Columbia, South Carolina from October 12 to October 14, and is therefore unable to travel to Erie for the Case Management Conference. Defendant’s counsel can, however, participate by telephone from South Carolina. Plaintiffs’ counsel of record is located in Washington, D.C., and would also prefer to participate by telephone for reasons of cost and efficiency.

Alternatively, if the Court would prefer that counsel appear in person for the Case Management Conference, then Defendant requests that the Conference be continued to a later

date to avoid the conflict created by the previously scheduled teaching commitment of Defendant's counsel.

Plaintiffs' counsel has been contacted regarding this motion and has indicated that Plaintiffs do not oppose the motion.

Dated: September 19, 2005

Respectfully submitted,

KELLY A. JOHNSON
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s/ Kristine S. Tardiff
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